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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,011	06/19/2003	Birgit Byman-Kivivuori	NOKV.013CIP	6004

7590 10/06/2006  
Hollingsworth & Funk, LLC  
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Minneapolis, MN 55425

EXAMINER

SMITH, CREIGHTON H

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/600,011	<b>Applicant(s)</b> BYMAN-KIVIVUORI ET AL.	
	<b>Examiner</b> Creighton H. Smith	<b>Art Unit</b> 2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-12, 20-23, 25, 26, 28, 30-33 and 35-47 is/are rejected.
- 7) ☒ Claim(s) 2, 13-19, 24, 27, 29 and 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/19/03 &amp; 12/2003</u> . | 6) <input type="checkbox"/> Other: ____.  |

Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is no antecedent basis in claim 28 for "the at least one destination network element."

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-12, 20-23, 25, 26, 28, 30-33, 35-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al-U.S. patent Publication #2004/0203352 in view of MacLellan et al '296.

Hall et al disclose RFID module in a mobile communication device for wirelessly transferring information to and from a base unit, [0012]. In [0023] hall discloses that the RFID is also a transponder. An antenna is disclosed in [0008]. Inherently, Hall's RFID transponder is running on at least one application. In [0035] hall discloses that one information element that can be transferred through the full wireless connection is a picture ID, or similar unique identifier. Hall never mentions that the identifier is sent the application is sent via a backscatter signal. However, MacLellan et al disclose in col. 3, lines 20-25, a RFID system that utilizes backscatter technology. To have used MacLellan's teaching of backscatter technology in Hall RFID transponder would have been obvious to a person having ordinary skill in the art because both references are in the field of RFID communications and the person possessing ordinary

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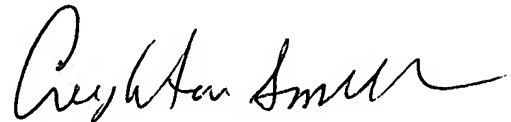
skill in this art would have found these references readily combinable. In [0039], hall discloses that medical data can be communicated.

Claims 2, 13-19, 24, 27, 29 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jean-Claude et al disclose multiple applications within an RFID environment, Eiden et al teach SMS messaging in RFID.

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.

01 OCT '06

A handwritten signature in black ink, appearing to read "Creighton H. Smith", with a stylized, flowing script.

Creighton H Smith  
Primary Examiner  
Art Unit 2614